
Local Government & Housing Committee

HB 2948

Brief Description: Evaluating regional and interlocal water and sewer systems.

Sponsors: Representatives Eddy, McCoy, Springer, Goodman, Simpson, Seaquist and Roach.

<p>Brief Summary of Bill</p> <ul style="list-style-type: none">• Creates a study group to evaluate public regional and interlocal water and sewer systems.

Hearing Date: 1/28/10

Staff: Becca Kenna-Schenk (786-7291) and Ethan Moreno (786-7386).

Background:

Overview of Water-Sewer Districts.

Water and sewer districts are units of local government initially authorized to provide potable water facilities, sanitary sewers and drainage facilities. Legislation enacted in 1996 consolidated water district laws with sewer district laws and made a number of technical changes. Water-sewer district (district) powers include the authority to purchase, construct, maintain, and supply waterworks to furnish water to inhabitants within and outside of the district, and to develop and operate systems of sewers and drainage. In addition, districts have broad authority to create facilities, systems, and programs for the collection, interception, treatment, and disposal of wastewater, and for the control of pollution from such wastewater.

Water-Sewer Services Within Overlapping Jurisdictions.

With certain exceptions, a district may not provide a service within an area in which that service is available from another district, or within an area in which that service is planned to be made available by another district unless both districts have expressed approval to do so by resolution. However, a district may provide reclaimed water services to persons outside the district.

Interlocal Cooperation Act.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Under the Interlocal Cooperation Act (ICA), public agencies, including local governments, are authorized to contract with one another to provide services either through cooperative action or when one or more agencies pay another agency for a service. A "public agency" for purposes of interlocal agreements includes any agency, political subdivision, or unit of local government. The term specifically includes municipal corporations, special purpose districts, local service districts, state agencies, federal agencies, recognized Indian tribes, and other states' political subdivisions.

Watershed Management Partnerships.

A watershed management partnership is a type of interlocal agreement authorized by the ICA whereby two or more public agencies to enter into agreements form a partnership for the purpose of implementing a watershed management plan.

Summary of Bill:

The Governor must convene a study group to evaluate public regional and interlocal water and sewer systems. "Regional water and sewer system" (regional system) means any public or publicly created regional or intergovernmental entity that provides water or sewer services to two or more local governments.

Study group members must consist of the following members:

- four state legislators, one from each caucus in the Senate and the House of Representatives;
- a representative from a public regional water system that was formed as a watershed management partnership;
- a representative from a regional sewer system that consists of at least three cities and one county;
- a representative from the Washington Association of Sewer and Water Districts; and
- two members with extensive legal and policy experience with both local government and water and sewer issues.

By December 1, 2010, the study group must submit to the Legislature and the Governor a report that, at a minimum, accomplishes the following:

- identifies all existing and developing regional systems as well as all known groups of local governments that are considering developing regional systems;
- outlines the history, objectives for forming, organizational structure, legal basis for formation and operation, and potential problems or challenges under the current law;
- reviews the laws, policies, and outcomes related to regional systems in at least two states that are known to have successful operating regional systems;
- evaluates and describes what potential benefits might be obtained by the formation of additional regional systems in the state, including consideration of potential operational efficiencies and cost and rate reductions; and
- identifies statutes that may discourage the formation and operation of successful regional systems.

The study group must function within existing resources, and group members are encouraged to donate their time and resources to the study.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.